

# **EXHIBIT A**

Document ID	Description	Rationale for De-Designation
RMC000039	<p>RMC Total Joint Infection Rates, 2006-2009</p> <p>Chart containing Ridgeview Medical Center's ("RMC") infection rates for knee, hip, and combined surgeries.</p>	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>
RMC000300	<p>Letter from Christopher LeFevre, Marketing Manager for Augustine Temperature Management ("ATM"), to "Mr. Martin" at RMC, dated September 7, 2010.</p> <p>Letter formalizes agreement between the parties that ATM will provide use of the HotDog product to RMC at no charge, in exchange for RMC's agreement to serve as a beta site for new products and provide feedback.</p>	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the content of the document to be discussed publicly in a <i>Star Tribune</i> article.</p>
RMC000050-71 ( <u>excluding</u> RMC00056, RMC000063)	<p>Field Advisory Agreements between Augustine Temperature Management and RMC, reflecting agreement referenced in September 7, 2010 letter described above.</p>	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the content of the document to be discussed publicly in a <i>Star Tribune</i> article.</p>

Document ID	Description	Rationale for De-Designation
RMC000072-73	Ridgeview Medical Center - Draft Early Adopter Relationship and Investment Term Sheet for Augustine Temperature Management/Hot Dog Patient Warming; relates to agreement discussed above and discusses potential \$250,000 investment by RMC in ATM.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the content of the document to be discussed publicly in a <i>Star Tribune</i> article.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>
RMC0000179	Email from Dr. Augustine to RMC CEO and others regarding formation of ATM advisory board and discussing product liability cases against 3M/Bair Hugger.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>
RMC000093-95	Email chain between Scott Augustine, Randy Benham, Brent Augustine, and various RMC representatives, discussing statements made to the <i>Star Tribune</i> , and concerns raised by various RMC representatives about inaccurate suggestion by Dr. Augustine that reduced infection rates are correlated with use of HotDog product.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>

Document ID	Description	Rationale for De-Designation
RMC000102-05	Email chain between Scott Augustine, Randy Benham, Brent Augustine, and various RMC representatives, discussing <i>Star Tribune</i> interview request and article, including representations about the accuracy of Dr. Augustine's claim that RMC's reduced infection rates were the result of its use of the HotDog warming system, and concerns raised internally at RMC about such statements.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>
RMC000173-76	Email chain between Scott Augustine, Randy Benham, Brent Augustine, and various RMC representatives, discussing Dr. Augustine's dissatisfaction with statements made to the <i>Star Tribune</i> by RMC representatives and a request by Dr. Augustine that RMC issue a more positive statement.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>

Document ID	Description	Rationale for De-Designation
RMC000025	Presentation (or portion of a presentation) entitled "Conductive Fabric Warming Beta Site: Reduction in Joint Implant Infections," which includes discussion of reduced infection rates at RMC and the alleged correlation to use of conductive warming.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>
RMC000184-85	Presentation (or portion of a presentation) entitled "Conductive Fabric Warming Beta Site: Reduction in Joint Implant Infections," which includes discussion of reduced infection rates at RMC, the alleged correlation to use of conductive warming, and proposed revisions.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>

Document ID	Description	Rationale for De-Designation
RMC000127-29	Email chain between Brent Augustine and various RMC representatives, discussing HotDog marketing materials, statements about RMC's reduced infection rates while using that product, and RMC's input in the content of such marketing materials.	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data to be published in the <i>Star Tribune</i>, included in YouTube videos, referenced by Dr. Augustine in public presentations and included in an article submitted by Dr. Augustine for publication.</p> <p>De-designation is in the public interest because the document provides more accurate, complete context to information already disseminated to the public.</p>
RMC000002-09	Study Protocol prepared for Ridgeview Hospital, Waconia, by Mark Albrecht (former Augustine employee), entitled "Effects of Patient Warming on Ventilation Performance and Infection Rates in Orthopedics: Forced Air versus Conductive Fabric Patient Warming;" proposes a study to concerning infection rates for orthopedic patients warmed with forced-air warming vs. conductive warming	<p>RMC has not articulated any good faith basis for treating the document as confidential under the Protective Order.</p> <p>RMC waived confidentiality by allowing the data and study to be submitted by Dr. Augustine for publication.</p>